

DOCKET FILE COPY ORIGINAL

96-45

From: "Jeff Hathaway" <jhathaway@wareham.k12.ma.us>
To: <CCBSecretary@fcc.gov>
Date: Wed, Sep 11, 2002 11:54 AM
Subject: Missed Deadline Waiver Request to the FCC for E-Rate Funding Year 3 (2000-01)

Per your instructions I have filed this waiver request in a pdf format.
If you require any further information please contact at the numbers or
addresses below. Thank you.

Jeff Hathaway, Director of Technology
Wareham Public Schools
7 Viking Drive Wareham, MA 02571
508-291-3510 ext 741 Fax 508-291-3577
www.wareham.mec.edu jhathaway@wareham.k12.ma.us

CC: "Wayne LaGue" <wlague@wareham.k12.ma.us>, "Jim Collins"
<collinsj.mass@rcn.com>



Jeff Hathaway, Director of Technology
Wareham Public Schools
7 Viking Drive
Wareham, MA 02571

Technology Department

September 11, 2002

Filed by email to CCBSecretary@fcc.gov

Federal Communications Commission
Office of the Secretary
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

**RE: Missed Deadline Waiver Request.
CC Docket Nos. 96-45 and 97-21**

We agree with the SLD that we can not prove that we did not miss the filing deadline for the frn's listed below, but we think there were extenuating circumstances. We know that the SLD can not waive the deadline. However, we understand we can ask the FCC to waive the rules in our case by filing a request for a "waiver." We know that waivers are not granted often: only in special circumstances and when a deviation from the rules would serve the public interest.

Timeline:

August 13, 2001 Mr. William Gifford of the Wareham Public Schools faxed the appropriate forms to the companies below, they were faxed back to him on August 20 and 21 respectively.

He retired the last week of August and I took over the first week of September but we did these forms together so I would know how. I can not find the green return cards.

Having heard nothing by February, I called SLD. They said they had no record of getting the request. They said it was ok to resend. I sent a copy on 2/19/02 and they signed for it on 2/25/02. The forms I sent them were from Mr. Gifford's records and they were dated and signed by the respective companies below on August 20 and 21. This is definitely in the time frame.

After not hearing anything again, I talked to Jason on 5/13/02 and was told that there was no problem and that the forms were in process.

This August I spoke to Angie Buress and Doe Guthrie at SLD and have the faxed letters I

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Page 2

had to send them saying that I was now Bill Gifford's replacement and authorized to talk to them.

On August 16 and 27 I got notices that we would be given no funding because we had filed after the deadline. I have since tried to talk to anyone who would listen and finally through an email was told to file with you to ask for a waiver of the rules.

Why should you waive the rules for us? First, at the outmost we have an honest mistake of someone forgetting to take the last step in a long bureaucratic journey, and I say only that because I have no little green card from "Mrs. Smith". I can assure you that Mr. Gifford was a very efficient administrator and that your records and those of the SLD will show that nothing was ever filed late by him.

Second the papers filed were all signed by the appropriate dates (August 20 and 21, 2001), so clearly the spirit of the rules were followed.

Finally speaking of the public interest, Wareham is a small rural town with the economic profile of a very poor city, ergo our high funding rate. Due to state budget constraints we had to send out 15 pink slips last June (our funding is very highly dependent on state help). The amounts of these frn's are miniscule to you but equal nearly 20 computers, or nearly a full time teacher or two part time teacher assistants.

So in short I can not see how it would be in the public interest to punish this very needy system for what was at most an honest mistake. I think our track record speaks for itself and you have my word that it will continue to be so until I retire in November of 2006.

Thank you for your consideration.


Signature Not Verified

Jeff Hathaway

Jeff Hathaway
Director of Technology

Digitally signed by Jeff Hathaway
DN: cn=Jeff Hathaway,
o=Wareham Public Schools,
ou=Director of Technology, c=US
Date: 2002.09.11 11:55:50
+04'00'

**MCI invoice number 281733; SPIN: 143001197; Billed entity number: 120662
FRN: 345831 Amount: \$1,134**

**Verizon invoice number 281734; SPIN: 143001291; Billed entity 120662
FRN: 345658 Amount \$21,168**



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